



PETER R. MARKSTEINER
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**UNITED STATES COURT OF APPEALS
FOR THE FEDERAL CIRCUIT**

717 MADISON PLACE, N.W.
WASHINGTON, D.C. 20439

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February 13, 2019

18-1213 - Ashford University, LLC v. Secretary of Veterans Affairs

NOTICE OF NON-COMPLIANCE

Your submitted document (Petitioner's Opening Brief) is not in compliance with the rules of this court. Within five business days from the date of this notice, please submit a corrected version of this document correcting the following:

- The brief does not contain the standard of review. Fed. R. App. P. 28(a)(8); Fed. Cir. R. 28(a)(9).
- References in the brief to appendix pages must follow the numbering format specified in Fed. Cir. R. 30(b)(4)(E). Refer to "Appendix Page References" in the court's Electronic Filing Procedures ("CM/ECF User's Guide") adopted pursuant to Fed. Cir. R. 25(c)(4) ([Link](#)). Specifically, the following type of reference is non-compliant:
 - Abbreviated page ranges – Ex. "Appx1302-03" (pg. 3) – When referring to a range of appendix pages, both the first and last number in the range must be listed in their entirety. For the example, the correct reference would be "Appx1302-1303."
- Addendum material must be paginated with the corresponding appendix page numbers following the number format specified in Fed. Cir. R. 30(b)(4)(E) (i.e., a document included in both the addendum and the appendix must have the same pagination in both documents). Fed. Cir. R. 28(a)(11). [Note: material included in an addendum pursuant to Fed. R. App. P. 28(f) or Fed. R. App. P. 32.1(b) does not require such pagination unless those items are also included in the appendix.]

* * *

If applicable, the deadline for the next or responsive submission is computed from the original submission date, not the submission date of the corrected version.

A party's failure to timely file a corrected document curing all defects identified on this notice may result in this document being stricken. An appellant or petitioner's failure to cure a defective filing may also result in the dismissal of the appeal.

FOR THE COURT

/s/ Peter R. Marksteiner

Peter R. Marksteiner

Clerk of Court

By: M. Lichtenberg, Deputy Clerk